IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 498 OF 2005

IN

WRIT PETITION NO.1979 OF 2005

M/S. BRIGHT TRADE SYNDICATE IMPORT
EXPORT ... PETITIONERS.

VS.

MUMBAI KAMGAR SABHA & ANR. ... RESPONDENTS.

MR. SANJAY BHATIA I/B. N.K.PANDYA FOR THE PETITIONERS.

Coram : S.K.Shah, J.

Date : October 21, 2005.

P.C.:

1. The learned Counsel for the Petitioner submits that the Respondents have been served. He has filed the acknowledgement. It is taken on record. None for the Respondents.

2. The Motion is for restoration of the Writ Petition, which came to be dismissed for default. The

affidavit in support of the motion mentions that the petitioner was unable to communicate his advocate during the week from 26th July till 9th August,2005 due to unavoidable circumstances i.e. flood. The affidavit also mentions that his advocate was ill and was advised to take rest during 29th July to 11th August, 2005 said period and, therefore,he could not attend the matter in the Court, during that period and, therefore, the petition came to be dismissed.

3. I am satisfied by the reasons given in the notice of motion and the affidavit in support.

4. Consequently, the notice of motion is allowed. The Writ Petition stands restored to file. The Petition be placed for admission.

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[S.K.Shah , J.]